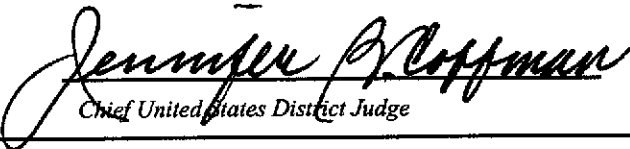
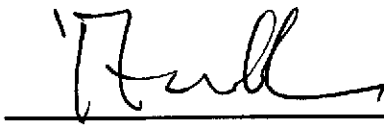


PROB 22 (Rev. 2/88)		DOCKET NUMBER (Tran. Court) 99-72-2-JBC	
TRANSFER OF JURISDICTION		DOCKET NUMBER (Rec. Court) Eastern District of Kentucky	
		DIVISION FILED Lexington AUG 18 2008	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE: Homer Cheese Case:2:08-cr-20449 Judge: Cohn, Avern Filed: 08-22-2008 At 02:49 PM TRANSPROB: USA V. CHEESE (NH)	DISTRICT EASTERN DISTRICT OF KENTUCKY	NAME OF PRESIDING JUDGE The Honorable Jennifer B. Coffman	
	DATES OF PROBATION/SUPERVISED RELEASE:	FROM 05/14/08	TO 05/13/13
OFFENSE Conspiracy to Distribute a Schedule II Controlled Substance (Crack Cocaine), Possession with Intent to Distribute a Schedule II Controlled Substance (Crack Cocaine) and Aiding & Abetting Same.			
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE <u>EASTERN DISTRICT OF KENTUCKY</u>			
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the Eastern District of Michigan upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*			
<u>7/25/08</u> Date		 Chief United States District Judge	
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE <u>EASTERN DISTRICT OF MICHIGAN</u>			
IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.			
<u>AUG 08 2008</u> Effective Date		 United States District Judge	

M2255, TERMED

**U.S. District Court
Eastern District of Kentucky (Lexington)
CRIMINAL DOCKET FOR CASE #: 5:99-cr-00072-JBC-2
Internal Use Only**

Case title: USA v. Stevens, et al

Date Filed: 08/05/1999

Date Terminated: 02/28/2000

Assigned to: Judge Jennifer B Coffman

Defendant (2)

Homer Lee Cheese, Jr.
TERMINATED: 02/28/2000

represented by **Homer Lee Cheese, Jr.**
#07200-032
Federal Prison Camp
P.O. Box 1000
Duluth, MN 55814
PRO SE

John Kevin West
Equitable Production Company
1710 Pennsylvania Ave
Charleston, WV 25302
304-348-3890
Fax: 304-344-0363
Email: kwest@eqt.com
TERMINATED: 02/28/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Patrick F. Nash
129 W. Short Street
Lexington, KY 40507
859-254-3232
Fax: 859-225-4746
Email: firstfloorlaw@alltel.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Pending Counts

I certify that this is a true and correct
copy of the original filed in my office
LESLIE G. WINTER, CLERK
by Colleen Dawkins
AUG 19 2008

Disposition

REDUCTION OF SENTENCE PER

CONSPIRACY TO DISTRIBUTE
CONTROLLED SUBSTANCE
(1)

CONTROLLED SUBSTANCE -
SELL, DISTRIBUTE, OR DISPENSE
(5)

Highest Offense Level (Opening)

Felony

Terminated Counts

VIOLENT
CRIME/DRUGS/MACHINE GUN
(8)

CONTROLLED SUBSTANCE -
MANUFACTURE
(11)

Highest Offense Level (Terminated)

Felony

Complaints

None

[461] AMENDED ORDER: 121
MONTHS IMPR IS REDUCED TO
TIME SERVED on each of counts 1
and 5 to be served concurrently, 60 mos
super./rel., \$200.00 special assessment

REDUCTION OF SENTENCE PER
[461] AMENDED ORDER: 121
MONTHS IMPR IS REDUCED TO
TIME SERVED on each of counts 1
and 5 to be served concurrently, 60 mos
super./rel., \$200.00 special assessment

Disposition

Dismissed upon motion of defendant

Found Not Guilty by Jury

Disposition

Plaintiff

USA
TERMINATED: 07/10/2000

represented by **Ron L. Walker, Jr.**
U.S. Attorney's Office, EDKY
260 W. Vine Street
Suite 300
Lexington, KY 40507-1612
859-685-4889
Fax: 859-233-2658
Email: Ron.Walker@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/05/1999	1	INDICTMENT by USA Counts filed against Jerry Ryan Stevens (1) count

		(s) 1, 5, 7, 8, 9-10, 11, 12, Homer Lee Cheese (2) count(s) 1, 5, 8, 11, 12, Gerald Keith White (3) count(s) 1, 6, 8, 11, 12, Vance Corey Lewis (4) count(s) 1, 8, 11, 12, Christopher Gipson (5) count(s) 1, 3, 4, 8, 11, 12, Jamal Anderson (6) count(s) 1, 3, 8, 11, 12, Sharon Lynn Black (7) count(s) 1, 2, 3, 8, 11, 12, Brittney Stevens (8) count(s) 1, 7, 8, 11, 12 (COUNT 12 IS A FORFEITURE COUNT AND NOT LISTED ON FRONT OF DOCKET SHEET OR COUNTED STATISTICALLY) (LKM) Modified on 08/06/1999 (Entered: 08/06/1999)
08/05/1999	3	MOTION for warrant by USA as to Homer Lee Cheese Jr. (LKM) (Entered: 08/06/1999)
08/05/1999	11	ORDER by Judge Karl S. Forester granting motion for warrant [3-1] warrant issued for Homer Lee Cheese Jr. (cc: all counsel) (LKM) (Entered: 08/06/1999)
08/13/1999	19	INITIAL APPEARANCE MINUTES: before Mag Judge James B. Todd hearing held on 8/13/99 , Lindsay Holder reported, initial appearance of Homer Lee Cheese Jr., dft qualifies for CJA counsel, counsel to be appointed, oral motion of US for pretrial detention, detention hearing/arraignment hearing set for 9:00 8/18/99 for Homer Lee Cheese Jr. before Mag Judge James B. Todd, dft remanded to custody pending detention hearing (cc: all counsel) (LKM) (Entered: 08/16/1999)
08/13/1999		ORAL MOTION to detain by USA as to Homer Lee Cheese Jr. (LKM) (Entered: 08/16/1999)
08/13/1999	25	CJA Form 23 (Financial Affidavit) as to Homer Lee Cheese Jr. (LKM) (Entered: 08/16/1999)
08/16/1999	30	CJA Form 20 Copy 4 (Appointment of Counsel) Attorney Stephen D. Milner appointed for Jerry Stevens (voucher #1009152) (LKM) (Entered: 08/16/1999)
08/16/1999	31	CJA Form 20 Copy 4 (Appointment of Counsel) Attorney John Kevin West appointed for Homer Lee Cheese (voucher #1009153) (LKM) (Entered: 08/16/1999)
08/16/1999	32	CJA Form 20 Copy 4 (Appointment of Counsel) Attorney Fred E. Peters appointed for Gerald Keith White (voucher #1009154) (LKM) (Entered: 08/16/1999)
08/16/1999	33	CJA Form 20 Copy 4 (Appointment of Counsel) Attorney Donald D. Waggener appointed for Christopher (Christian) Gipson (voucher #1009155) (LKM) (Entered: 08/16/1999)
08/16/1999	34	CJA Form 20 Copy 4 (Appointment of Counsel) Attorney Derek G. Gordon appointed for Jamal Anderson (voucher #1009156) (LKM) (Entered: 08/16/1999)
08/16/1999	35	CJA Form 20 Copy 4 (Appointment of Counsel) Attorney Pamela Dae Perlman appointed for Sharon Lynn Black (voucher #1009157) (LKM) (Entered: 08/16/1999)

08/18/1999	37	ORDER by Mag Judge James B. Todd granting motion for leave to amend name of dft Christopher Gipson to Christian Gipson as the true and accurate name of said dft [36-1]; all future pleadings to reflect name change (cc: all counsel) (LKM) (Entered: 08/18/1999)
08/18/1999	39	ARRAIGNMENT MINUTES: before Mag Judge James B. Todd arraignment held on 8/18/99 , Peggy Weber reported, dft Homer Lee Cheese Jr. arraigned; NOT GUILTY plea entered to all counts; Attorney John Kevin West present , jury trial set for 9:00 10/5/99 for Homer Lee Cheese Jr., trial to be held in Ashland, all pretrial hearings to be conducted at Lexington, US granted to 9/1/99 to make discovery, dft granted to 9/8/99 to file pretrial motions, dft remanded to custody of USM (cc: all counsel) (LKM) (Entered: 08/18/1999)
08/18/1999	44	GENERAL ORDER OF DISCOVERY by Chief Judge Henry R. Wilhoit Jr (cc: all counsel) (LKM) (Entered: 08/18/1999)
08/18/1999	45	ORDER by Mag Judge James B. Todd detention hearing held on 8/18/99 , Peggy Weber reported , ORDERED: (1) oral motion of counsel for cont of det hrg as to dfts Cheese, White, Gipson & Anderson is GRANTED, det hrg set for 11:00 8/23/99 (2) dfts Cheese, White, Gipson & Anderson remanded to custody pending further proceedings; dfts Stevens and Black waived right to det hrg, ORDERED: (1) oral mot of US for det as to Stevens & Black is GRANTED (2) dfts Stevens & Black remanded to custody of USM pending further proceedings (3) counsel for both dfts advised det matter may be revisited at cont det hrg on 8/23/99 if additional info becomes available, counsel to notify USM if necessary for these dfts to be at 8/23/99 hrg (cc: all counsel) (LKM) (Entered: 08/18/1999)
08/18/1999	49	ARREST Warrant returned executed as to Homer Lee Cheese Jr. on 8/13/99 (LKM) (Entered: 08/19/1999)
08/19/1999	58	REQUEST FOR FRE 404(b) NOTICE by Homer Lee Cheese Jr. (LKM) (Entered: 08/20/1999)
08/19/1999	59	REQUEST FOR DISCOVERY & INSPECTION by Homer Lee Cheese Jr. (LKM) (Entered: 08/20/1999)
08/23/1999	61	WITNESS list by defendant Jerry Ryan Stevens, defendant Homer Lee Cheese Jr., defendant Gerald Keith White, defendant Christian Gipson, defendant Jamal Anderson, plaintiff USA (LKM) (Entered: 08/26/1999)
08/24/1999	62	ORDER of Detention by Mag Judge James B. Todd as to Homer Lee Cheese Jr. (cc: all counsel) (LKM) (Entered: 08/26/1999)
08/24/1999	66	ORDER by Mag Judge James B. Todd detention hearing held on 8/23/99 , Carol Kissick reported, granting motion to court finds presumption not rebutted, ORDERED: (1) oral motions of US for detention of Jerry Ryan Stevens, Homer Lee Cheese, Jr., Gerald Keith White, Christian Gipson and Jamal Anderson is GRANTED (2) dfts remanded to custody of USM pending further proceedings (cc: all counsel) (LKM) (Entered: 08/26/1999)
08/26/1999	67	Subpoena returned executed on Det Shane Ensminger 8/23/99 (MSH)

		(Entered: 08/27/1999)
09/01/1999	72	MEMORANDUM, Opinion and Order: by Chief Judge Henry R. Wilhoit Jr. (1) denying motion for severance of his trial from other dfts [54-1] (2) denying motion to continue trial date [55-1] (cc: all counsel) (LKM) (Entered: 09/03/1999)
09/01/1999	71	ORDER by Chief Judge Henry R. Wilhoit Jr. (1) granting motion to withdraw warrant [70-1] (2) summons shall be issued for appearance of Brittney Stevens (cc: all counsel) (LKM) (Entered: 09/28/1999)
09/09/1999	76	ORDER by Chief Judge Henry R. Wilhoit Jr., ORDERED: (1) arraignment of dft Brittney Stevens set for 9/10/99 is SET ASIDE (2) dft shall appear for arraignment set at 10:00 9/14/99 (3) USM for EDKY shall provide dft Brittney Stevens with funds for a bus ticket and expenses from her residence in Detroit, MI to US District Courthouse in Lexington, KY and return to her residence in Detroit, MI (cc: all counsel) (LKM) (Entered: 09/09/1999)
09/13/1999	78	ORDER by Chief Judge Henry R. Wilhoit Jr. ; hearing set for 10:00 9/17/99 for Jerry Ryan Stevens, Homer Lee Cheese Jr., Gerald Keith White, Vance Corey Lewis, for Christian Gipson, Jamal Anderson, Sharon Lynn Black and Brittney Stevens on motion of dft Jerry Stevens to cont. trial date (cc: all counsel) (LKM) (Entered: 09/13/1999)
09/14/1999	81	GENERAL ORDER OF DISCOVERY by Chief Judge Henry R. Wilhoit Jr. (cc: all counsel) (LKM) (Entered: 09/14/1999)
09/14/1999	84	CJA Form 20 Copy 4 (Appointment of Counsel) Attorney Charles P. Gore appointed to represent Brittney Stevens (voucher #1009162) (LKM) (Entered: 09/14/1999)
09/14/1999	85	ORDER by Chief Judge Henry R. Wilhoit Jr; U.S. Marshal shall provide dft Brittney Steven w/funds for transp. & travel expenses from Detroit to Lex. and return to Detroit for all court appear. (cc: all counsel) (LGB) (Entered: 09/14/1999)
09/15/1999	86	REQUEST FOR RECIPROCAL DISCOVERY by USA (LKM) (Entered: 09/16/1999)
09/16/1999	90	Order directing USM to provide funds to dft Stevens for transportation & expenses to & from Michigan for Court appearance returned executed 9/14/99 (LKM) Modified on 09/21/1999 (Entered: 09/20/1999)
09/20/1999	92	ORDER by Chief Judge Henry R. Wilhoit Jr. , mot hrg held on 9/17/99 , Peggy Weber rptd, ORDERED: (1) motion of dft Jerry Stevens and joinder by dft Gerald White to cont trial scheduled for 10/5/99 at Ashland is GRANTED (2) jury trial is contd to 10/12/99 at 9:00 a.m. as to all above named dfts (3) trial set for dft Brittney Stevens on 10/18/99 at Lex, KY is SET ASIDE, said dft shall be tried w/other named dfts (4) hrg on all other pending mot's set for 3:00 9/23/99 at Lex., KY (cc: all counsel) (LKM) (Entered: 09/21/1999)
09/20/1999	93	ORDER by Chief Judge Henry R. Wilhoit Jr granting motion for Jencks

		Act Evidence [68-1] to extent provided for in Order of 8/18/99 (cc: all counsel) (LKM) (Entered: 09/21/1999)
09/21/1999	95	ORDER by Chief Judge Henry R. Wilhoit Jr ; hearing on all pending motions set for 9/23/99 is SET ASIDE and reassigned for 10:30 10/4/99 for Jerry Ryan Stevens, Homer Lee Cheese Jr., Gerald Keith White, Christian Gipson, Jamal Anderson, Sharon Lynn Black and Brittney Stevens (cc: all counsel) (LKM) (Entered: 09/22/1999)
09/23/1999		----- V O L U M E II ----- ----- (LKM) (Entered: 09/28/1999)
09/24/1999	99	RESPONSE by plaintiff USA to motion to suppress [94-1] of dft Gerald Keith White (LKM) (Entered: 09/27/1999)
09/27/1999	108	ORDER by Chief Judge Henry R. Wilhoit Jr. granting motion of Sharon Lynn Black for arraignment [101-1]; arraignment set for 9:45 10/4/99 for Sharon Lynn Black (cc: all counsel) (LKM) (Entered: 09/29/1999)
09/30/1999	109	ORDER by Chief Judge Henry R. Wilhoit Jr. that USA motion for hrg to determine audibility of tapes & accuracy of transcripts is set for 10:30 10/4/99 for Jerry Ryan Stevens, Homer Lee Cheese Jr., Gerald Keith White, Christian Gipson, Jamal Anderson, Sharon Lynn Black, and Brittney Stevens (cc: all counsel) (LKM) (Entered: 10/01/1999)
09/30/1999	112	MOTION to join mot to supr of dft Jerry Ryan Stevens by Homer Lee Cheese Jr. (LKM) (Entered: 10/01/1999)
10/01/1999	113	ORDER by Chief Judge Henry R. Wilhoit Jr ; dft Sharon Black's arraignment set for 10/4/99 at 9:45 is moved to 3:00 10/4/99 (cc: all counsel) (LKM) (Entered: 10/02/1999)
10/01/1999	114	ORDER by Chief Judge Henry R. Wilhoit Jr ; hearing on all pending motions set for 10/4/99 is reset for 9:00 10/5/99 for Jerry Ryan Stevens, Homer Lee Cheese Jr., Gerald Keith White, Christian Gipson, Jamal Anderson, Sharon Lynn Black and Brittney Stevens (cc: all counsel) (LKM) (Entered: 10/02/1999)
10/04/1999	121	ORDER to comply with Sentencing Reform Act by Chief Judge Henry R. Wilhoit Jr ; sentencing hearing set for 1:30 12/17/99 for Sharon Lynn Black (cc: all counsel) (LKM) (Entered: 10/04/1999)
10/05/1999	123	EXHIBIT/WITNESS list by defendants and plaintiff USA re: 10/5/99 hearing (LKM) (Entered: 10/12/1999)
10/12/1999	125	ORDER by Chief Judge Henry R. Wilhoit Jr, re: motion hrg held 10/5/99, Peggy Weber reported, ORDERED: (1) denying motion for leave to withdraw as counsel for Jerry Ryan Stevens (2) granting motion for Robinson hearing [107-1] (3) granting motion for fingerprinting of guns [106-1] [122-1] (4) granting motion for approval of expert witness fees [118-1] [110-1] (5) denying motion for a bill of particulars [89-1]; however, amt of currency listed in ct 12 of indictment (\$2,000.00, \$180.00 & 40.00) shall be stricken from from the indictment (6) motions to suppress [87,88,91,94,97,102 & 117] are taken under advisement, pty's shall have to

		close of business on 10/26/99 to file briefs & to close of business on 11/2/99 to file responses (7) denying motion in limine [103-1] (8) granting motion to continue trial [110-2] [118-2] (9) this case is reassigned for jury trial on 11/29/99 9:00 at Lexington, KY (10) this matter is cont to 2:00 10/15/99 on pending motions (cc: all counsel) (LKM) (Entered: 10/12/1999)
10/15/1999	128	MEMORANDUM by defendant Homer Lee Cheese Jr. in support of [112-1] motion to suppress of Homer Lee Chees Jr. (LKM) (Entered: 10/18/1999)
10/20/1999	130	ORDER by Chief Judge Henry R. Wilhoit Jr. re: cont. hearing held 10/15/99 on pending motions, Peggy Weber reported, ORDERED: (1) motion in limine [103-1] is OVERRULED (2) motion to dismiss counts 8 and 12 indictment as to Jerry Ryan Stevens and Brittney Stevens [104-1] is OVERRULED (3) motion to dismiss count 11 as to Brittney Stevens is OVERRULED (4) tapes played for the court shall be part of the evidence for the US upon representation of counsel that the quality will be sufficiently enhanced by technological means at trial (cc: all counsel) (LKM) (Entered: 10/22/1999)
10/25/1999	132	SUPPLEMENTAL RESPONSE by plaintiff USA to dfts' motion to supr [112-1], [102-1], [97-1], [91-1], [88-1], [87-1] (LKM) (Entered: 10/26/1999)
10/26/1999	134	NOTICE of Officers' testimony by plaintiff USA (LKM) (Entered: 10/27/1999)
10/27/1999	137	MOTION (PETITION) FILED UNDER SEAL for Writ of Habeas Corpus Ad Testificandum by USA (LKM) Modified on 10/29/1999 (Entered: 10/28/1999)
10/28/1999	138	ORDER by Chief Judge Henry R. Wilhoit Jr granting motion for Writ of Habeas Corpus Ad Testificandum FILED UNDER SEAL [137-1] (cc: all counsel) (LKM) Modified on 10/29/1999 (Entered: 10/28/1999)
10/28/1999	139	CJA Form 20 Copy 4 (Appointment of Counsel) Attorney Russell Baldani appointed as counsel for Vance Corey Lewis (LKM) (Entered: 10/29/1999)
11/02/1999	141	REPLY by defendant Homer Lee Cheese Jr. regarding [132-1] US supplemental response to motion to suppress (LKM) (Entered: 11/05/1999)
11/03/1999	142	TRANSCRIPT of hearing held 10/5/99 on pending motions (LKM) (Entered: 11/05/1999)
11/10/1999	145	CJA FORM 24 (Authorization and Voucher for Transcript Payment) as to Homer Lee Cheese Jr. (LKM) (Entered: 11/15/1999)
11/12/1999	143	ORDER by Chief Judge Henry R. Wilhoit Jr that the moving dfts mot to suppress (rec. No. 87,88,91,94,97,112 and 117) are denied (cc: all counsel) (SMT) (Entered: 11/12/1999)
11/13/1999		----- V O L U M E III ----- ----- (LKM) (Entered: 11/23/1999)

11/15/1999	148	GENERAL ORDER OF DISCOVERY by Chief Judge Henry R. Wilhoit Jr (cc: all counsel) (LKM) (Entered: 11/16/1999)
11/18/1999	152	NOTICE by plaintiff USA to introduce 404(b) evidence re: Homer Lee Cheese, Jr. (LKM) (Entered: 11/22/1999)
11/18/1999	153	NOTICE by plaintiff USA of intent to introduce 404(b) evidence re: dft Jamal Anderson (LKM) (Entered: 11/22/1999)
11/18/1999	154	EX PARTE MOTION for subpoena by Homer Lee Cheese Jr. FILED UNDER SEAL (LKM) Modified on 11/22/1999 (Entered: 11/22/1999)
11/19/1999	155	ORDER by Chief Judge Henry R. Wilhoit Jr granting motion for subpoena [154-1] FILED UNDER SEAL (cc: all counsel) (LKM) (Entered: 11/22/1999)
11/22/1999	157	Subpoena returned executed 11/22/99 - FILED UNDER SEAL (LKM) (Entered: 11/23/1999)
11/22/1999	159	NOTICE by plaintiff USA of intent to introduce 404(b) evidence (LKM) (Entered: 11/23/1999)
11/22/1999	160	PROPOSED EXHIBIT list by plaintiff USA (LKM) (Entered: 11/23/1999)
11/23/1999	162	NOTICE by plaintiff USA of utilization of visual aids during opening statement (LKM) (Entered: 11/23/1999)
11/23/1999	164	ORDER by Judge Karl S. Forester granting motion for subpoena [163-1] FILED UNDER SEAL (cc: all counsel) (LKM) (Entered: 11/24/1999)
11/23/1999	165	MOTION in limine and supporting memorandum by Homer Lee Cheese Jr. (LKM) (Entered: 11/24/1999)
11/23/1999	166	EXHIBIT list by defendant Homer Lee Cheese Jr. (LKM) (Entered: 11/24/1999)
11/24/1999	168	MEMORANDUM, Opinion and Order: by Chief Judge Henry R. Wilhoit Jr denying motion for reconsideration of dft's motion to suppress [151-1] (cc: all counsel) (LKM) (Entered: 11/24/1999)
11/24/1999	172	PROPOSED AMENDED EXHIBIT list by plaintiff USA (LGB) (Entered: 11/29/1999)
11/24/1999	173	PROPOSED JURY Instructions by plaintiff USA (LGB) (Entered: 11/29/1999)
11/24/1999	174	PROPOSED JURY Forfeiture Instructions by plaintiff USA (LGB) (Entered: 11/29/1999)
11/29/1999	176	RESPONSE by plaintiff USA to motion in limine and supporting memorandum of dft Cheese [165-1] (LGB) (Entered: 11/29/1999)
11/29/1999	180	Subpoena returned executed 11/26/99 (LKM) (Entered: 11/30/1999)
11/29/1999	181	TRIAL MINUTES: before Chief Judge Henry R. Wilhoit Jr. jury begun on 11/29/99 , Peggy Weber reported, voir dire begins , jury impaneled , dfts'

		oral mot's for mistrial overruled, dfts' oral mot's for additional preemptory challenges overruled, dfts obj's to use of 404(b) evidence & visual aids in US opening stnts overruled, oral mot of dft Brittney Stevens & Jerry Stevens to redact ct 7 and any mention of ct 7 from the indictment is sustained, mot in limine of dft Cheese overruled, mot in limine of dft White overruled as moot, intro of evid for plf begun, not concluded, case cont to 11/30/99 for further trial, dft Brittney Stevens to remain on bond, all other dfts remanded to custody (cc: all counsel) (LKM) (Entered: 11/30/1999)
12/01/1999	182	TRIAL MINUTES: before Chief Judge Henry R. Wilhoit Jr., trial held 11/30/99, Peggy Weber reported, intro. of evid. for plf resumed, not concluded, dft Jerry Stevens oral mot for mistrial overruled, case cont to 12/1/99 at 9:00, dft Brittney Stevens to remain on bond, all other dfts remanded to custody (cc: all counsel) (LKM) Modified on 12/02/1999 (Entered: 12/02/1999)
12/03/1999	186	TRIAL MINUTES: before Chief Judge Henry R. Wilhoit Jr., cont trial held 12/2/99, Peggy Weber reported, intro. of evid. for plf resumed, not concluded, dfts' oral mot for mistrial due to newspaper article is overruled, dfts' oral mot to excuse juror #251, Ruth Peters is sustained, Jerry Stevens' oral mot for mistrial made after testimony of Robert Langon overruled, Juror #207 Marjorie Meekds excused due to illness, dft Brittney Stevens to remain on bond, other dfts remanded to custody (cc: all counsel) (LKM) (Entered: 12/03/1999)
12/03/1999	187	TRIAL MINUTES: before Chief Judge Henry R. Wilhoit Jr., cont trial held 12/2/99, Peggy Weber reported, intro. of evid. for plf resumed and concluded, intro. of evid. for Jerry Stevens, Homer Cheese & Christian Gipson begun & concluded, mot. of dft Brittney Stevens for jgmt of acq. granted and jgmt entered, mot. and renewed mot. for jgmt of acq. by Jerry Stevens, Homer Cheese overruled, mot. for jgmt of acquittal by dft Gipson sustained as to cts 1, 8 and 11, mot. overruled as to cts 3 & 4, all dfts renewed pretrial mots to spr. overruled, on oral mot. of USA, count 10 is dismissed, oral mots. of dfts White and Anderson for gmt. of acq. overruled, oral mot. of dfts White & Anderson for rearraignment sustained, dfts to remain in custody of USM (cc: all counsel) (LKM) (Entered: 12/03/1999)
12/03/1999	188	ORDER to comply with Sentencing Reform Act by Chief Judge Henry R. Wilhoit Jr. ; sentencing hearing set for 3:00 2/25/00 for Gerald Keith White (cc: all counsel) (LKM) (Entered: 12/03/1999)
12/03/1999	189	ORDER to comply with Sentencing Reform Act by Chief Judge Henry R. Wilhoit Jr. ; sentencing hearing set for 3:00 2/25/00 for Jamal Anderson (cc: all counsel) (LKM) (Entered: 12/03/1999)
12/03/1999	190	ORDER to comply with Sentencing Reform Act by Chief Judge Henry R. Wilhoit Jr. ; sentencing hearing set for 3:00 2/25/00 for Christian Gipson (cc: counsel) (LKM) (Entered: 12/03/1999)
12/03/1999	192	REDACTED JURY Instructions sent to Jury 12/3/99 (LKM) (Entered: 12/06/1999)

12/03/1999	193	NOTE from Jury (LKM) (Entered: 12/06/1999)
12/03/1999	195	JURY VERDICT as to Homer Lee Cheese Jr. finding dft guilty on counts 1 and 5, NOT guilty on count 11 (LKM) Modified on 02/23/2000 (Entered: 12/06/1999)
12/03/1999	196	ORDER to comply with Sentencing Reform Act by Chief Judge Henry R. Wilhoit Jr. ; sentencing hearing set for 3:00 2/25/00 for Homer Lee Cheese Jr. (cc: all counsel) (LKM) (Entered: 12/06/1999)
12/03/1999	197	ORDER to comply with Sentencing Reform Act by Chief Judge Henry R. Wilhoit Jr. ; sentencing hearing set for 3:00 2/25/00 for Jerry Ryan Stevens (cc: all counsel) (LKM) (Entered: 12/06/1999)
12/03/1999	198	EXHIBIT/WITNESS list by plaintiff USA (LKM) (Entered: 12/06/1999)
12/03/1999	198	Receipt by Lexington Police Dept. of govt exhibits 4-10,14,19,23,26,27,30-32,38,39,42-44 (LKM) (Entered: 12/06/1999)
12/06/1999	203	TRIAL MINUTES: before Chief Judge Henry R. Wilhoit Jr., hearing held 12/6/99, Peggy weber reported, oral mot of dft Cheese to dsm ct 8 sustained, oral mot of dft Jerry stevens to dsm ct 11 is O/R, renewed mot of dft Jerry Stevens for jgmt of acq as to ct 11 O/R, jury verdict finding dft Stevens guilty on cts 1,5,9,11 and dft Cheese guilty on ct 1,5, not guilty ct 11, sentencing hrg set for 3:00 2/25/00 for Jerry Stevens and Homer Lee Cheese, Jr., dfts remanded to custody (cc: all counsel) (LKM) (Entered: 02/23/2000)
12/13/1999	211	REQUEST FOR RICIPROCAL DISCOVERY by USA (LKM) (Entered: 12/13/1999)
12/13/1999	213	PROPOSED EXHIBIT list by plaintiff USA (LKM) (Entered: 12/13/1999)
12/13/1999	215	MEMORANDUM, Opinion and Order: by Chief Judge Henry R. Wilhoit Jr; 1) denying motion in limine [204-1]; 2) denying motion to dismiss count (s) 8 as to Vance Corey Lewis (4) [205-1]; 3) granting motion to join in motions of co-defendants to suppress [206-1]; and denying motion to suppress (cc: all counsel) (LGB) (Entered: 12/14/1999)
12/13/1999	218	ORDER by Chief Judge Henry R. Wilhoit Jr. for Return of Exhibits 2,4-10,14,16-19,23,24,26,27,30,31,32,36-39,42-45, 46a-i, shall be returned to case agent J. Shane Ensminger, for safe keeping pending any appeal and/or proper disposal (cc: all counsel) (LKM) (Entered: 12/15/1999)
12/14/1999	216	PETITION by plaintiff USA for Writ of H.C. ad testificandum for Matthew Austin for trial 12/20/99 (LGB) (Entered: 12/14/1999)
12/14/1999	217	ORDER by Judge Karl S. Forester granting petition for Writ of H.C. Ad Test.[216-1]; Marshal to deliver Matthew Austin to Court 12/20/99 at 9:00 from Clark Co. Jail (cc: all counsel) (LGB) (Entered: 12/14/1999)
12/15/1999	219	PROPOSED JURY Instructions/List by plaintiff USA (LKM) (Entered: 12/16/1999)
12/17/1999	222	TRANSCRIPT of Jury trial proceedings (testimony of Matthew Austin)

		held 11/30/99 before Judge Wilhoit, Jr. (LKM) (Entered: 12/20/1999)
12/17/1999	223	TRANSCRIPT of jury trial proceedings (testimony of Shane Ensminger) held 12/2/99 before Judge Wilhoit, Jr. (LKM) (Entered: 12/20/1999)
12/17/1999	224	TRANSCRIPT of jury trial proceedings (testimony of Jerry Ryan Stevens) held 12/2/99 before Judge Wilhoit, Jr. (LKM) (Entered: 12/20/1999)
12/18/1999		----- V O L U M E I V ----- ----- (LKM) (Entered: 12/29/1999)
12/20/1999	229	TRIAL MINUTES: before Chief Judge Henry R. Wilhoit Jr jury trial begun on 12/20/99, Peggy Weber reported , voir dire begins , jury impaneled, dft's motion to suppress jail calls [227-1] and motion to exclude flight evidence are OVERRULED, dft's motion to exclude declarations of co-conspirators [209-1] is conditionally OVERRULED, US motion to dismiss ct 8 and moton for Clerk to return all govt trial exhibits previously introduced at trial of co-dfts are SUSTAINED, dft's oral motion for a mistrial is OVERRULED, intro. of evid. for plf begun, not concluded, case cont to 12/21/99 for further trial, dft remanded to custody (cc: all counsel) (LKM) (Entered: 12/21/1999)
12/20/1999	231	Receipt for government trial exhibits by Ron Walker (LKM) (Entered: 12/27/1999)
12/22/1999	232	TRIAL MINUTES: before Chief Judge Henry R. Wilhoit Jr., trial of Vance Cory Lewis resumed 12/22/99, Peggy Weber reported, jury retires to deliberate at 10:30, returns at 6:25, case cont to 12/23/99 at 11:00 for further jury deliberations, dft remanded to custody (cc: all counsel) (LKM) (Entered: 12/27/1999)
12/23/1999	235	Court WITNESS list (LKM) (Entered: 12/27/1999)
12/23/1999	236	JURY Instructions/List (LKM) (Entered: 12/27/1999)
12/23/1999	237	NOTES FROM JURY (LKM) (Entered: 12/27/1999)
12/23/1999	238	NOTICE of receipt of government exhibits from Shane Ensminger on 12/23/99 (LKM) (Entered: 12/27/1999)
01/03/2000	240	MEMORANDUM by plaintiff USA in support of [239-1] motion to compel dft to produce voice and handwriting exemplars (LKM) (Entered: 01/03/2000)
01/11/2000	246	TRANSCRIPT of Hearing before Hon. James Todd 9/8/99 (Entered: 01/24/2000)
01/13/2000	244	ORDER by Chief Judge Henry R. Wilhoit Jr granting motion to compel dft to produce voice and handwriting exemplars [239-1] (cc: all counsel) (LGB) (Entered: 01/14/2000)
01/19/2000	245	ORDER by Chief Judge Henry R. Wilhoit Jr ; jury trial set for 9:00 3/20/00 for Vance Corey Lewis (cc: all counsel) (LGB) (Entered: 01/19/2000)
01/25/2000	248	NOTICE to Introduce 404(b) Evidence by plaintiff USA (LKM) (Entered: 01/25/2000)

		01/27/2000)
02/08/2000	251	ORDER by Chief Judge Henry R. Wilhoit Jr. denying motion of dft Vance Corey Lewis for permission to contact jury foreperson [242-1] (cc: all counsel) (LKM) (Entered: 02/09/2000)
02/14/2000	252	NOTICE by plaintiff USA of intent to utilize computer visual aids during opening & closing statements (LKM) (Entered: 02/17/2000)
02/22/2000	254	REQUEST FOR RECIPROCAL DISCOVERY by USA (LKM) (Entered: 02/23/2000)
02/25/2000	261	ORDER by Chief Judge Henry R. Wilhoit Jr granting motion to continue sentencing [256-1] of Gerald Keith White ; sentencing hearing set for 11:45 3/27/00 for Gerald Keith White (cc: all (LKM) (Entered: 02/25/2000)
02/25/2000	267	PRESENTENCE Report on Homer Lee Cheese Jr. original sealed. (LKM) (Entered: 02/28/2000)
02/25/2000	268	RULE 32(C) INFORMATION - SEALED as to Homer Lee Cheese Jr. (LKM) (Entered: 02/28/2000)
02/25/2000	269	CASSETTE TRANSCRIPT of arraignment 12/2/99, 12/3/99, sentencing 2/20/00 - in box - see Larry (LKM) (Entered: 02/28/2000)
02/25/2000	270	CASSETTE TRANSCRIPT of arraignment 8/18/99, 9/14/99, rearraignment 10/4/99 7 sentencing of Sharon Black - in box - see Larry (LKM) (Entered: 02/28/2000)
02/25/2000	272	COURTS ADVICE OF RIGHT TO APPEAL SENTENCE as to Homer Lee Cheese Jr. (LKM) (Entered: 03/01/2000)
02/25/2000	276	PRELIMINARY JUDGMENT OF FORFEITURE by Chief Judge Henry R. Wilhoit Jr. ORDERED the following property is forfeited to USA: \$3,870.00, \$2,743.00, \$262.00, \$2.00, \$1,340.00, \$65.00 in US Currency, .380 Lorcin, Smith & Wesson revolver, misc. ammo, .40 Glock 22, Ruger 9mm w/ammo, Norinco MAK 90 Sporter 7.62 caliber, Bryco 38, Ruger P90 .45 caliber, further ORDERED USM shall forthwith seize this property & provide ntc by publication, US authorized to conduct any ancillary proceedings, further ORDERED Clerk deliver copies of this order to all counsel of record, USP & USM (cc: all counsel) (LKM) (Entered: 03/01/2000)
02/28/2000	262	ORDER by Chief Judge Henry R. Wilhoit Jr granting motion for leave to hold re-trial in Lexington rather than Ashland [255-1] ; jury trial set for 9:00 3/20/00 for Vance Corey Lewis at Lexington, KY (cc: all counsel) (LKM) (Entered: 02/28/2000)
02/28/2000	278	JUDGMENT IN A CRIMINAL CASE by Chief Judge Henry R. Wilhoit Jr issued to U.S. Marshal as to Homer Lee Cheese Jr. sentencing hearing held on 2/25/00 , Peggy Weber reported, sentencing Homer Lee Cheese (2) count(s) 1, 5. 151 mos IMPR on each of counts 1 and 5 to be served concurrently, 60 mos super./rel., \$200.00 special assessment , dft found Not Guilty on count 11 , terminating party Homer Lee Cheese (cc: all counsel,

		USP, w/NOE) (LKM) (Entered: 03/08/2000)
03/02/2000	281	APPEAL Notice to 6CCA by defendant Homer Lee Cheese Jr. regarding [278-1] fees \$000.00 Receipt # 000000 (cc: Dft's counsel and USA) (LKM) (Entered: 03/08/2000)
03/03/2000	284	APPEAL Transcript Designation and Order form for the dates of 8/18/99, 8/23/99, 9/17/99, 10/5/99, 10/15/99, 11/29/99, 11/30/99 12/1-3/99 (LKM) (Entered: 03/08/2000)
03/13/2000	289	ORDER by Chief Judge Henry R. Wilhoit Jr granting motion for rearraignment [288-1] ; rearraignment set for 9:30 3/14/00 for Vance Corey Lewis (cc: all counsel) (LKM) (Entered: 03/13/2000)
03/13/2000	293	APPEAL NUMBER received from 6CCA regarding [281-1] Notice of Appeal of Homer Lee Cheese, Jr. (Appeal Number: 00-5286) (LKM) (Entered: 03/15/2000)
03/13/2000	294	APPEAL NUMBER received from 6CCA regarding [282-1] Notice of Appeal of Jerry Ryan Stevens (Appeal Number: 00-5287) (LKM) (Entered: 03/15/2000)
03/14/2000	291	ORDER TO COMPLY WITH THE SENTENCING REFORM ACT by Chief Judge Henry R. Wilhoit Jr; sentencing set for 7/10/00 at 9:30 (cc: all counsel) (LGB) (Entered: 03/15/2000)
03/15/2000	295	PETITION by plaintiff USA for Remission of Special Assessment imposed on dft Jerry Ryan Stevens (LKM) (Entered: 03/15/2000)
03/15/2000	296	PETITION by plaintiff USA for Remission of Special Assessment imposed on dft Homer Lee Cheese, Jr. (LKM) (Entered: 03/15/2000)
03/20/2000	297	ORDER by Chief Judge Henry R. Wilhoit Jr. (1) granting petition for Remission of Special Assessment [295-1] regarding dft Jerry Ryan Stevens (2) all unpd protion of spec. assess. imposed on dft is remitted (3) Clerk is directed to STRIKE this action from the Court's docket (cc: all counsel) (LKM) (Entered: 03/22/2000)
03/20/2000	298	ORDER by Chief Judge Henry R. Wilhoit Jr. (1) granting petition for Remission of Special Assessment regarding dft Homer Lee Cheese, Jr. [296-1] (2) all unpd portion of spec. assess. imposed on dft is remitted (3) Clerk is directed to STRIKE this action from the Court's docket (cc: all counsel) (LKM) (Entered: 03/22/2000)
03/21/2000	299	APPEAL Transcript Designation and Order form for the dates of trial regarding [281-1] Notice of Appeal of Homer Cheese (LKM) (Entered: 03/23/2000)
03/22/2000		----- V O L U M E V ----- ----- (Entered: 05/25/2000)
03/27/2000	301	ORDER by Chief Judge Henry R. Wilhoit Jr granting motion to seal document [300-1] re: Gerald Keith White (cc: all counsel) (LKM) (Entered: 03/28/2000)

04/13/2000	307	TRANSCRIPT of continued detention hearing held 8/23/99 before Mag Judge James B. Todd (LKM) (Entered: 04/13/2000)
05/04/2000	310	Process receipt & RETURN OF SERVICE by USM of Legal Notice of Publication in Lexington Herald Leader (LKM) (Entered: 05/10/2000)
05/18/2000	311	TRANSCRIPT of Arraignments/detention hearings held 8/18/99 before Mag Judge Todd (LKM) (Entered: 05/22/2000)
05/18/2000	312	TRANSCRIPT of motion hearing held 9/17/99 before Chief Judge Henry R. Wilhoit, Jr. (LKM) (Entered: 05/22/2000)
05/18/2000	313	TRANSCRIPT of motion hearing held 10/15/99 before Chief Judge Henry R. Wilhoit, Jr. (LKM) (Entered: 05/22/2000)
05/18/2000	314	TRANSCRIPT of Jury Trial held 11/29/99 before Chief Judge Henry R. Wilhoit, Jr. (Volume I) (LKM) (Entered: 05/22/2000)
05/18/2000	315	TRANSCRIPT of Jury Trial held 11/30/99 before Chief Judge Henry R. Wilhoit, Jr. (Volume II) (LKM) (Entered: 05/22/2000)
05/18/2000	316	TRANSCRIPT of Jury Trial held 12/1/99 before Chief Judge Henry R. Wilhoit, Jr. (Volume III) (LKM) (Entered: 05/22/2000)
05/18/2000	317	TRANSCRIPT of Jury trial held 12/2/99 before Chief Judge Henry R. Wilhoit, Jr. (Volume IV) (LKM) (Entered: 05/22/2000)
05/22/2000	318	NOTICE by USM of Publication of notice of this action in Lex Herald-Leader (LKM) (Entered: 05/23/2000)
06/15/2000	320	APPEAL Transcript Designation and Order form for the dates of 12/6/99 & 2/25/00 regarding [282-1] NOA of dft Jerry Stevens (LKM) (Entered: 06/15/2000)
06/22/2000	322	TRANSCRIPT of sentencing on 2/25/00 of Jerry Ryan Stevens (LGB) (Entered: 06/28/2000)
07/05/2000	325	MOTION for final decree and order of forfeiture by USA as to Jerry Ryan Stevens, Homer Lee Cheese Jr., Gerald Keith White, Vance Corey Lewis, Christian Gipson, Jamal Anderson, Sharon Lynn Black, Brittney Stevens (LKM) (Entered: 07/06/2000)
07/07/2000	326	FINAL DECREE AND ORDER OF FORFEITURE by Chief Judge Henry R. Wilhoit Jr granting re: motion for final decree and order of forfeiture [325-1]; ORDERED: (1) USM to seize forfeited property & dispose of according to law (2) the following property be forfeited: Currency: \$3,870.00 from Cheese, \$2,743.00 from J. Stevens, \$262.00 from J. Stevens, \$17.00 from Cheese, \$181.00 Anderson, \$1,340.00 Gipson, \$65.00 from White; firearms: Lorcin from Gipson, revolver from Anderson, misc ammo from Gipson, Glock 22 from J. Stevens, 9mm Ruger from J. Stevens, Norinco MAC 90 from J. Stevens, .38 caliber from J. Stevens, Ruger P90 from J. Stevens (3) the forfeited property be disposed of according to law (4) \$248.00 currency in items 4,5 & 7 in possession of Lex. Metro Police Dept, be pd to USDC Clerk & applied to Criminal Monetary Penalties as

		follows: \$98.00 penalty assessed to Cheese, \$100.00 penalty assessed to Anderson & \$65.00 penalty assessed to White (5) Clerk to send attested copies to all counsel of record & USM (cc: all counsel) (Entered: 07/12/2000)
08/07/2000		APPEAL Supplemental Record to 6CCA sent on 8/7/00 consisting of 7 volumes of pleadings, 14 volumes of transcripts re: Appeal No.s 00-5286 & 00-5287 (LKM) (Entered: 08/07/2000)
08/16/2000	332	CJA Form 20 (Attorney Payment Voucher) as to Homer Lee Cheese Jr. (LKM) (Entered: 08/21/2000)
08/30/2000	333	APPEAL Record Acknowledgement from 6CCA consisting of 7 volume(s) of pleadings & 14 volumes of transcripts re Jerry Stevens appeal no. 00-5287 (LKM) (Entered: 08/30/2000)
09/06/2000	334	APPEAL Transcript Designation and Order form from dft Cheese (LKM) (Entered: 09/06/2000)
12/11/2000	337	APPEAL Transcript Designation and Order form for the dates of 10/15/99 (LKM) (Entered: 12/15/2000)
12/11/2000	338	TRANSCRIPT of Exhibit 25-A entered at trial (LKM) (Entered: 12/15/2000)
12/11/2000	339	TRANSCRIPT of Exhibit 25-B admitted at trial (LKM) (Entered: 12/15/2000)
12/11/2000	340	TRANSCRIPT of Exhibit 25-C admitted at trial (LKM) (Entered: 12/15/2000)
12/11/2000	341	TRANSCRIPT of Exhibit 25-D admitted at trial (LKM) (Entered: 12/15/2000)
12/11/2000	342	TRANSCRIPT of Exhibit 25-E admitted at trial (LKM) (Entered: 12/15/2000)
01/12/2001	343	APPEAL Transcript Designation and Order form for the dates of 2/25/00 (LKM) (Entered: 01/16/2001)
01/26/2001	344	TRANSCRIPT of sentencing of Homer Cheese held 2/25/01 before Judge Wilhoit, Jr. (LKM) (Entered: 01/29/2001)
01/29/2001		APPEAL Supplemental Record to 6CCA sent on January 29, 2001 consisting of 6 volumes transcripts (LKM) (Entered: 01/29/2001)
02/05/2001	345	APPEAL Record Acknowledgement from 6CCA consisting of 6 transcripts (LKM) (Entered: 02/14/2001)
02/05/2001	346	APPEAL Record Acknowledgement from 6CCA consisting of 6 transcripts (LKM) (Entered: 02/14/2001)
07/02/2001	353	ORDER by Mag Judge James B. Todd, re: dft Lewis' 2255 motion [349-1], ORDERED: (1) Clerk to provide USA w/copy of dft's 2255 motion (2) USA has 40 days to respond (cc: all counsel) (LKM) (Entered: 07/03/2001)

07/10/2001	354	TRANSCRIPT of Sentencing of Vance Corey Lewis held 7/10/00 before Judge Wilhoit (LKM) (Entered: 07/11/2001)
08/09/2001	355	TRANSCRIPT of Rearrangement hearing held 3/14/00 before Judge Wilhoit, Jr. (LKM) (Entered: 08/10/2001)
08/13/2001		SUBMITTED re MOTION of Vance Corey Lewis Pursuant to 28:2255 [349-1] is submitted (LKM) (Entered: 03/12/2003)
12/12/2001	362	CJA Form 20 Copy 4 (Appointment of Counsel) Attorney Pam Perlman appt'd for dft Black (LKM) (Entered: 12/23/2001)
12/19/2001	364	TRANSFER OF JURISDICTION ORDER by Sr. Judge Henry R. Wilhoit Jr. transferring super./rel. jurisdiction of dft Gerald K. White to EDM I (cc: all counsel) (LKM) (Entered: 01/14/2002)
12/28/2001	363	ORDER by Sr. Judge Henry R. Wilhoit Jr; on 12/19/01 Supervised Release Hrg. held as to Sharon Black; Kim Adcock Ct. Reporter; Court finds dft Black has violated conditions of release, ORDERED that dft's supervised release be REVOKED and dft is remanded to custody (cc: all counsel) (LGB) (Entered: 01/02/2002)
04/22/2002	369	TRANSCRIPT of Jury Trial Proceedings (jury verdict announced) held 12/3/99 (LKM) (Entered: 04/24/2002)
05/13/2002	373	ORDER by Sr. Judge Henry R. Wilhoit Jr denying motion of dft Jerry Ryan Stevens for return of seized property [367-1] (cc: all counsel) (LKM) (Entered: 05/15/2002)
06/26/2002	374	APPEAL Judgment from 6CCA re; Homer Cheese & Jerry Stevens; Decision: AFFIRMED (cc: Dft's counsel and USA) (LKM) (Entered: 06/28/2002)
07/16/2002	375	ORDER by Sr. Judge Henry R. Wilhoit Jr: 1) dft mtn for reconsideration of 5/10/01 order denying pauper status [350-1] GRANTED & Order of 5/10/02 [348-1] is VACATED & SET ASIDE; 2) dft Lewis having been represented by CJA cnsl, dft Lewis is entitle to proceed IFP; 3) dft mtn for production of record [351-1] GRANTED & Clk directed to provide dft Lewis, at no cost to him, copy of transcript of sentencing hrg & copy of docket sheets in this action; 4) dft's mtn for leave to file memorandum/supplement in support of 2255 motion after the production of record [352-1] GRANTED; 2) dft given 30 days to file memo and/or supplement in support of his 2255 mtn (cc: all counsel) (SKV) (Entered: 07/16/2002)
08/12/2002	378	TRANSFER OF SUPER./REL. JURISDICTION of dft Jamal Anderson; ORDER by Sr. Judge Henry R. Wilhoit Jr. authorizing transfer; ORDER accepting transfer by Judge Gerald Rosen of EDM I (cc: all counsel) (LKM) (Entered: 08/22/2002)
09/03/2002	379	APPEAL Mandate from 6CCA AFFIRMING decision of district court re: Homer Cheese (cc: Judge Wilhoit) (LKM) (Entered: 09/04/2002)
09/18/2002		APPEAL Record returned by 6CCA as to defendant Homer Lee Cheese Jr.

		(LKM) (Entered: 09/18/2002)
10/25/2002	380	NOTICE by 6CCA that writ of certiorari as to Jerry Stevens is DENIED (LKM) (Entered: 10/31/2002)
12/23/2002	385	ORDER by Sr. Judge Henry R. Wilhoit Jr. that dft Stevens motion for return of seized property [381-1] is dismissed for lack of jurisdiction; property sought has never been in jurisdiction of this court (cc: all counsel) (LKM) (Entered: 01/06/2003)
01/27/2003	387	ORDER by Sr. Judge Henry R. Wilhoit Jr. ORDERED: (1) motion of dft Jerry Stevens for mandamus [384-1] is OVERRULED (2) mot to proceed in forma pauperis [383-1] is OVERRULED as moot (cc: all counsel) (LKM) (Entered: 02/05/2003)
02/03/2003	388	NOTICE by 6CCA that petition of dft Homer Lee Cheese, Jr. for writ of certiorari was filed on 11/19/02 & placed on docket 1/22/03 as No. 02-8551 (LKM) (Entered: 02/05/2003)
02/03/2003		***** VOLUME 6***** (PDB) (Entered: 07/27/2004)
02/24/2003	390	ORDER by Mag Judge James B. Todd that: (1) Clerk to provide USA w/copy of dft Jerry Stevens 2255 motion (2) USA has 40 days to respond (cc: all counsel) (LKM) (Entered: 02/24/2003)
03/05/2003	391	NOTICE by 6CCA that petition of dft Homer Cheese for Writ of Certiorari is DENIED (LKM) (Entered: 03/05/2003)
04/01/2004	404	MOTION (Pro Se) for relief under The All Writs Act 28 U.S.C. 1651, Administrative Procedure Act Title 5 701-706, Jencks Act U.S.C. 3500 and The Citizens Protection Act 28 U.S.C. 530 (B) and 42 U.S.C. 1983 by Homer Lee Cheese Jr. (PDB) (Entered: 04/01/2004)
09/13/2004		*** MOTION SUBMITTED TO CHAMBERS FOR REVIEW as to Homer Lee Cheese Jr. re 404 MOTION to Vacate by Homer Lee Cheese Jr. (PDB) (Entered: 09/13/2004)
04/06/2005	423	MOTION to Dismiss/Withdraw Document 404 MOTION to Vacate by Homer Lee Cheese Jr. (LKM) (Entered: 04/06/2005)
04/06/2005		*** MOTION SUBMITTED TO CHAMBERS FOR REVIEW as to Homer Lee Cheese, Jr re 423 MOTION to Withdraw Document 404 MOTION to Vacate by Homer Lee Cheese Jr. (LKM) (Entered: 04/06/2005)
04/06/2005	424	ORDER : (1) motion by dft Homer Lee Cheese, Jr. to dismiss or to withdraw 423 motion filed under the All Writs Act, the Administrative Procedure Act, the Jencks Act, the Citizens Protection Act and 42 USC 1983 is GRANTED (2) dft Cheese's motion filed under the All Writs, Act, the Administrative Procedure Act, the Jencks Act, the Citizens Protection Act and 42 USC 1983 is WITHDRAWN. Signed by Judge James B Todd. (LKM)cc: COR,USP, dft (Entered: 04/07/2005)

03/05/2008	442	ORDER OF RECUSAL in case as to Homer Lee Cheese, Jr. ORDERED Judge Henry R. Wilhoit, Jr. RECUSES from further service in this matter ORDERED Case reassigned to Judge Jennifer B Coffman for all further proceedings. Signed by Judge Henry R. Wilhoit, Jr. on 03/05/2008. (LKM) cc: COR,USM,USP,JBC (Entered: 03/06/2008)
03/19/2008	446	Mail Returned as Undeliverable. Mail sent to Homer Lee Cheese, Jr. re 442 Order of Recusal (JMW) (Entered: 03/24/2008)
03/20/2008	445	ORDER as to Homer Lee Cheese, Jr. (1) Patrick Nash is appt CJA counsel for dft; (2) the Court is inclined to grant a reduced sentence on its own motion and to sentence the dft to a 121-month term of incarceration instead of the 151-month sentence which was originally imposed; (3) any objection to this proposed reduction or any request for hearing shall be filed within 15 days from the date of entry of this order. Absent such an objection or request, the Court will enter an amended judgment reducing the sentence as stated above; and (4) the USP shall share with counsel of record all materials relating to their office's recalculation and recommendation to the court regarding this retroactive amendment. Signed by Judge Jennifer B Coffman on 3/20/08. (JMW)cc: COR,USM,USP,CJA (Entered: 03/21/2008)
03/25/2008	459	CJA 20 as to Homer Lee Cheese, Jr: Appointment of Attorney Patrick F. Nash for Homer Lee Cheese, Jr. (JMW) (Entered: 04/16/2008)
03/26/2008	448	RESPONSE to 445 Order by USA as to Homer Lee Cheese, Jr. (JMW) (Entered: 03/28/2008)
04/03/2008	451	MOTION for Extension of Time to File Objections to 445 Order, by Homer Lee Cheese, Jr. (JMW) (Entered: 04/03/2008)
04/03/2008		*** MOTION SUBMITTED TO CHAMBERS FOR REVIEW as to Homer Lee Cheese, Jr re 451 MOTION for Extension of Time to File Objections (JMW) (Entered: 04/03/2008)
04/04/2008	452	ORDER as to Homer Lee Cheese, Jr re 451 MOTION for Extension of Time to File Objections to 445 Order, by Homer Lee Cheese, Jr. (1) dft's motion is GRANTED; and (2) any objection to this Court's proposed reduction or any request for a hearing shall be filed within 15 days from the date of entry of this Order. Signed by Judge Jennifer B Coffman on 4/4/08. (JMW)cc: COR,USP (Entered: 04/04/2008)
04/09/2008	453	RESPONSE to Order 445 by Homer Lee Cheese, Jr. (JMW) (Entered: 04/10/2008)
04/10/2008		*** FILE SUBMITTED TO CHAMBERS FOR REVIEW as to Homer Lee Cheese, Jr re 453 RESPONSE (JMW) (Entered: 04/10/2008)
04/14/2008	456	ORDER REDUCING SENTENCE RE CRACK COCAINE OFFENSE 18 USC 3582 for Homer Lee Cheese Jr. (1) the motion for reduction of sentence is GRANTED and the dft's previously imposed sentence of 151 MONTHS IS REDUCED TO 121 MONTHS; (2) the reduced sentence is within the amended guideline range; and (3) except as provided above, all

		provisions of the judgment dated 2/25/00 shall remain in effect. Signed by Judge Jennifer B Coffman on 4/14/08. (JMW)cc: COR,USM,USP (Entered: 04/15/2008)
05/07/2008	461	AMENDED ORDER REDUCING SENTENCE RE CRACK COCAINE OFFENSE 18 USC 3582 for Homer Lee Cheese Jr.: (1) the motion for reduction of sentence is GRANTED and the dft's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of *121 MONTHS IS REDUCED TO TIME SERVED*; (2) the reduced sentence is within the amended guideline range; and (3) except as provided above, all provisions of the judgment dated 2/25/00 shall remain in effect. Signed by Judge Jennifer B Coffman on 5/6/2008. (SCD)cc: COR,USM,USP (Entered: 05/08/2008)
08/03/2008		***** VOLUME 7 ***** (SCD) (Entered: 08/07/2008)

No. 99-72**UNITED STATES DISTRICT COURT***Eastern District of Kentucky*

LEXINGTON DIVISION

THE UNITED STATES OF AMERICA

vs.

JERRY RYAN STEVENS,
 HOMER LEE CHEESE, JR.
 GERALD KEITH WHITE,
 VANCE COREY LEWIS,
 CHRISTOPHER GIPSON,
 JAMAL ANDERSON,
 SHARON LYNN BLACK and
 BRITTNEY STEVENS

INDICTMENT

21/USC § 846 - Conspiracy to commit drug offenses - 2 Counts
 21/USC § 841 - Possession w/intent to distribute controlled substance - 4 Counts
 18/USC § 2 - Aiding and Abetting - 2 Counts
 18/USC § 924(c)(1) - Use, carry, brandish firearm in relation to drug offense - 2 Counts
 18/USC § 924(o) - Conspiracy to use firearms during drug offense - 1 Count
 21/USC § 856 - Control of establishment for purpose of committing drug offense - 2 Counts
 21/USC § 853 - Forfeiture - 1 Count

A true bill.

Charles E. [Signature]

Filed in open court this 5th day
 of August, A.D. 1999

Filed in open court this 5th day
 of August, A.D. 1999

Clerk

Bail, \$

AT LEXINGTON

LESLIE G. WHITMER
 CLERK U.S. DISTRICT COURT

I certify that this is a true and correct
 copy of the original filed in my office
 LESLIE G. WHITMER, CLERK
 By Colleen Daykin
 Date 1 9 2008

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
LEXINGTON

UNITED STATES OF AMERICA

vs.

INDICTMENT NO. 99- 72

JERRY RYAN STEVENS,
HOMER LEE CHEESE, JR.,
GERALD KEITH WHITE,
VANCE COREY LEWIS,
CHRISTOPHER GIPSON,
JAMAL ANDERSON,
SHARON LYNN BLACK and
BRITTNEY STEVENS

Eastern District of Kentucky
FILED

AUG 05 1999

AT LEXINGTON
LESLIE G. WHITMER
CLERK U.S. DISTRICT COURT

* * * * *

COUNT 1
[21 U.S.C. § 846]

THE GRAND JURY CHARGES:

Beginning on or about April 9, 1998, and continuing until August 5, 1999, in Fayette County, Kentucky, in the Eastern District of Kentucky, and elsewhere,

JERRY RYAN STEVENS, a/k/a "JULEANTI",
HOMER LEE CHEESE, JR., a/k/a "CHEDDAR", "LIL' CUZ",
GERALD KEITH WHITE, a/k/a "G",
VANCE COREY LEWIS, a/k/a "CORY", "C", "RED",
CHRISTOPHER GIPSON, a/k/a "CEASAR PALE", "LITTLE C",
JAMAL ANDERSON, a/k/a "JAMAR",
SHARON BLACK, a/k/a "SHERRY" and
BRITTNEY STEVENS,

the defendants, did knowingly and intentionally combine, conspire, confederate, and agree together, with each other, and with an

unindicted co-conspirator, and with divers other persons to the Grand Jury known and unknown, to commit the following offense against the United States, that is, to knowingly and intentionally possess with intent to distribute in excess of fifty grams of a mixture or substance containing a detectable amount of cocaine base, that is, "crack cocaine," a Schedule II controlled substance, as listed under Title 21, United States Code, Section 812, all in violation of Title 21, United States Code, Section 841(a)(1) and Title 21, United States Code, Section 846.

COUNT 2

[21 U.S.C. § 841(a)(1)]

THE GRAND JURY FURTHER CHARGES:

On or about May 10, 1999, in Fayette County, Kentucky, in the Eastern District of Kentucky,

SHARON BLACK, a/k/a "SHERRY",

the defendants, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of cocaine base, that is, "crack cocaine," a Schedule II controlled substance, as listed under Title 21, United States Code, Section 812; all in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 3

[21 U.S.C. § 841(a)(1)]
[18 U.S.C. § 2]

THE GRAND JURY FURTHER CHARGES:

On or about May 14, 1999, in Fayette County, Kentucky, in the Eastern District of Kentucky,

CHRISTOPHER GIPSON, a/k/a "CEASAR PALE", "LITTLE C",
JAMAL ANDERSON, a/k/a "JAMAR" and
SHARON BLACK, a/k/a "SHERRY",

the defendants, aided and abetted by one another, and with divers other persons to the Grand Jury known and unknown, did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of cocaine base, that is, "crack cocaine," a Schedule II controlled substance, as listed under Title 21, United States Code, Section 812 all in violation of Title 21, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT 4

[18 U.S.C. § 924(c)(1)]

THE GRAND JURY FURTHER CHARGES:

On or about May 14, 1999, in Fayette County, Kentucky, in the Eastern District of Kentucky,

CHRISTOPHER GIPSON, a/k/a "CEASAR PALE", "LITTLE C",

the defendant, did knowingly use and carry and brandish during and in relation to the drug trafficking crimes set out in Count 3, and did in furtherance of said drug trafficking crimes possess

firearms, to wit, a Lorcin .380 Semi-automatic handgun, serial number 028282, a Smith and Wesson .38 Revolver, serial number 27486, and ammunition, all in violation of Title 18, United States Code, Section 924(c)(1).

COUNT 5
[21 U.S.C. § 841(a)(1)]
[18 U.S.C. § 2]

THE GRAND JURY FURTHER CHARGES:

On or about May 25, 1999, in Fayette County, Kentucky, in the Eastern District of Kentucky,

**JERRY RYAN STEVENS, a/k/a "JULEANTI" and
HOMER LEE CHEESE, JR., a/k/a "CHEDDAR", "LIL' CUZ",**

the defendants, aided and abetted by one another, did knowingly and intentionally possess with intent to distribute in excess of fifty grams a mixture or substance containing a detectable amount of cocaine base, that is, "crack cocaine," a Schedule II controlled substance, as listed under Title 21, United States Code, Section 812; all in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT 6
[21 U.S.C. § 841(a)(1)]

THE GRAND JURY FURTHER CHARGES:

On or about May 28, 1999, in Fayette County, Kentucky, in the Eastern District of Kentucky,

GERALD KEITH WHITE, a/k/a "G",

the defendant, did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of cocaine base, that is, "crack cocaine," a Schedule II controlled substance, as listed under Title 21, United States Code, Section 812; all in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 7
[18 U.S.C. § 924(c)(1)]

THE GRAND JURY FURTHER CHARGES:

On or about June 9, 1999, in Fayette County, Kentucky, in the Eastern District of Kentucky and elsewhere,

**JERRY RYAN STEVENS, a/k/a "JULEANTI" and
BRITTNEY STEVENS,**

the defendants, did knowingly possess in the furtherance and in relation to the drug trafficking crimes set out in Counts 1, 3, 6, and 7, a firearm, to wit, a machine gun, Norinco MAK-90 Sporter 7.62 caliber, serial number, 22488 and ammunition, all in violation of Title 18, United States Code, Section 924(c)(1).

COUNT 8
[18 U.S.C. § 924(o)]

THE GRAND JURY FURTHER CHARGES:

On or about May 14, 1999 and continuing until August 5, 1999, in Fayette County, Kentucky, in the Eastern District of Kentucky, and elsewhere,

JERRY RYAN STEVENS, a/k/a "JULEANTI",
HOMER LEE CHEESE, JR., a/k/a "CHEDDAR", "LIL' CUZ",
GERALD KEITH WHITE, a/k/a "G",
VANCE COREY LEWIS, a/k/a "CORY", "C", "RED",
CHRISTOPHER GIPSON, a/k/a "CEASAR PALE", "LITTLE C",
JAMAL ANDERSON, a/k/a "JAMAR",
SHARON BLACK, a/k/a "SHERRY" and
BRITTNEY STEVENS,

the defendants, did combine, conspire, confederate, and agree together, with each other, and with divers other persons to the Grand Jury known and unknown, to knowingly use and to carry during and in relation to and possess in furtherance of drug trafficking crimes set out in Counts 1, 3, 6, and 7, in Fayette County, Kentucky, in the Eastern District of Kentucky, possess, firearms, to wit, a Lorcin .380 Semi-automatic handgun, serial number 028282; a Smith and Wesson .38 Revolver, serial number 27486; Glock 22 .40 caliber handgun, serial number, RT424; Ruger 9mm model P95DC, serial number 31271175; Bryco 38 .380 caliber, serial number 268330; Ruger P90 .45 caliber special edition, serial number 22488, a machine gun, Norinco MAK-90 Sporter 7.62 caliber, serial number 22488, and

ammunition, all in violation of Title 18, United States Code, Section 924(o).

In furtherance of this conspiracy and to achieve the objects thereof, the defendants and other co-conspirators, both known and unknown to the Grand Jury, committed the following overt acts, among others, in Fayette County, Kentucky, in the Eastern District of Kentucky, and elsewhere:

1. On May 14, 1999, Christopher Gipson, a/k/a "Ceasar Pale", "Little C", brandished a gun to the head of an individual during and after a drug transaction at 702 Dakota Street, Lexington, Kentucky.

2. On May 14, 1999, Christopher Gipson, a/k/a "Ceasar Pale", "Little C", Jamal Anderson and Sharon Lynn Black possessed a detectable amount of cocaine base at 702 Dakota Street, Lexington, Kentucky.

3. Subsequent to his arrest on Trafficking in Controlled Substances, Jerry Ryan Stevens, a/k/a "Juleanti", made telephone calls from the Fayette County Detention Center and spoke with Vance Corey Lewis, and Brittney Stevens and discussed the location of crack cocaine he had concealed, money he was owed for drug trafficking, and distribution of money, and the purchase and ownership of real and personal property.

4. On June 9, 1999, in Detroit Michigan, Brittney Stevens wrote and possessed a letter addressed to her brother, Jerry Ryan Stevens, a/k/a "Juleanti", at the Fayette County Detention Center

Stevens, a/k/a "Juleanti", at the Fayette County Detention Center stating that their mother believed the "feds" were watching the house and she, Brittney Stevens, was going to remove the guns and money from the residence; all in violation of Title 18, United States Code, Section 924(o).

COUNT 9
[21 U.S.C. § 856]

THE GRAND JURY FURTHER CHARGES:

On or about June 2, 1999, in Fayette County, Kentucky, in the Eastern District of Kentucky,

JERRY RYAN STEVENS, a/k/a "JULEANTI",

the defendant, did unlawfully knowingly and intentionally open and maintain a place for the purpose of distributing and using a controlled substance, namely cocaine base, a Schedule II narcotic drug controlled substance, as owner, lessee and agent of a building, room and enclosure and did knowingly and unlawfully manage, control and otherwise make available, with or without compensation said building, room and enclosure, to wit, 222 Warnocke Street, Lexington, Fayette County, Kentucky, for the purpose of unlawfully distributing or using a controlled substance, namely cocaine base, a Schedule II controlled substance in furtherance of Counts 1, 3, 6, and 7, all in violation of Title 21, United States Code, Section 856.

COUNT 10
[21 U.S.C. § 856]

THE GRAND JURY FURTHER CHARGES:

On or about June 2, 1999, in Fayette County, Kentucky, in the Eastern District of Kentucky,

JERRY RYAN STEVENS, a/k/a "JULEANTI",

the defendant, did unlawfully knowingly and intentionally open and maintain a place for the purpose of distributing and using a controlled substance, namely cocaine base, a Schedule II narcotic drug controlled substance, as owner, lessee and agent of a building, room and enclosure and did knowingly and unlawfully manage, control and otherwise make available, with or without compensation said building, room and enclosure, to wit, 421 Campbell Street, Lexington, Fayette County, Kentucky, for the purpose of unlawfully distributing or using a controlled substance, namely cocaine base, a Schedule II controlled substance in furtherance of Counts 1, 3, 6, and 7, all in violation of Title 21, United States Code, Section 856.

COUNT 11
[21 U.S.C. § 856]

THE GRAND JURY FURTHER CHARGES:

On or about June 2, 1999, in Fayette County, Kentucky, in the Eastern District of Kentucky,

JERRY RYAN STEVENS, a/k/a "JULEANTI",
HOMER LEE CHEESE, JR., a/k/a "CHEDDAR", "LIL' CUZ",
GERALD KEITH WHITE, a/k/a "G",
VANCE COREY LEWIS, a/k/a "CORY", "C", "RED",
CHRISTOPHER GIPSON, a/k/a "CEASAR PALE", "LITTLE C",
JAMAL ANDERSON, a/k/a "JAMAR",
SHARON BLACK, a/k/a "SHERRY" and
BRITTNEY STEVENS,

the defendants, did unlawfully knowingly and intentionally open and maintain a place for the purpose of distributing and using a controlled substance, namely cocaine base, a Schedule II narcotic drug controlled substance, as owner, lessee and agent of a building, room and enclosure and did knowingly and unlawfully manage, control and otherwise make available, with or without compensation said building, room and enclosure, to wit, 421 Campbell Street, Lexington, Fayette County, Kentucky, for the purpose of unlawfully distributing or using a controlled substance, namely cocaine base, a Schedule II controlled substance in furtherance of Counts 1, 3, 6, and 7, all in violation of Title 21, United States Code, Section 856.

COUNT 12
[21 U.S.C. § 853]

THE GRAND JURY FURTHER CHARGES THAT:

In committing the felony offenses alleged in Counts 1, 3, 6, and 7, of this Indictment, and being punishable by imprisonment for more than one year,

JERRY RYAN STEVENS, a/k/a "JULEANTI",
HOMER LEE CHEESE, JR., a/k/a "CHEDDAR", "LIL' CUZ",
GERALD KEITH WHITE, a/k/a "G",
VANCE COREY LEWIS, a/k/a "CORY", "C", "RED",
CHRISTOPHER GIPSON, a/k/a "CEASAR PALE", "LITTLE C",
JAMAL ANDERSON, a/k/a "JAMAR",
SHARON BLACK, a/k/a "SHERRY" and
BRITTNEY STEVENS,

used, or intended to use, the below-described property to commit or facilitate the said controlled substance violation, and the below-described property constitutes and is derived from proceeds obtained directly or indirectly as a result of the commission of the aforesaid violation of 21 U.S.C. §841(a)(1) and 846, including but not limited to the following:

CURRENCY:

- 1) \$3,870.00 in U.S. Currency;
- 2) \$2,743 in U.S. Currency;
- 3) \$262.00 in U.S. Currency;
- 4) \$2.00 in U.S. Currency;
- 5) \$181.00 in U.S. Currency;
- 6) \$1,340.00 in U.S. Currency;
- 7) \$65.00 in U.S. Currency;
- 8) \$2,000.00 in U.S. Currency (seized from Jerry Stevens' residence in Detroit, MI);
- 9) \$180.00 in U.S. Currency (seized from Jerry Stevens' residence in Detroit, MI);
- 10) \$40.00 in U.S. Currency (seized from Jerry Stevens' residence in Detroit, MI).

FIREARMS:

- 1) .380 semi automatic Lorcin, Serial No. 028282;
- 2) Smith and Wesson revolver, Serial No. 27486;
- 3) miscellaneous ammunition;
- 4) .40 caliber Glock 22, Serial No. RT424;;
- 5) Ruger 9mm, model P95DC, Serial No. 31271175 w/ ammo;
- 6) Norinco MAK 90 Sporter 7.62 caliber, Serial No. 22488 w/ magazine;
- 7) Bryco 38 .380 caliber, Serial No. 268330;
- 8) Ruger P90 .45 caliber special edition, Serial No. 661-98680.

By virtue of the commission of the felony offense charged in this Indictment by the aforesaid defendants, any and all interest has in the above-described property, is vested in the United States and hereby forfeited to the United States pursuant to 21 U.S.C. §853.

A TRUE BILL


FOREMAN

APPROVED:


JOSEPH L. FAMULARO
UNITED STATES ATTORNEY

PENALTIES

COUNT 1,5:

First Offense: NLT 10 years imprisonment NMT Life; \$4,000,000.00 fine, or both; 5 years supervised release.

Second Offense: NLT 20 years imprisonment, NMT Life; \$8,000,000.00, or both; 10 years supervised release.

Third Offense: NLT Life, \$8,000,000.00 fine or both.

COUNT 2,3,6:

First Offense: NMT 20 years imprisonment; \$1,000,000.00 fine, or both; 3 years supervised release.

Second Offense: NMT 30 years imprisonment; \$2,000,000.00 fine, or both; 6 years supervised release.

COUNT 4:

First Offense: NLT 7 years imprisonment, \$250,000 fine or both.

Second or More Offense: NLT 25 years imprisonment, \$250,000 fine or both.

COUNT 7:

First Offense: NLT 30 years imprisonment, \$250,000 fine or both.

Second Offense: Life imprisonment, \$250,000 fine or both.

COUNT 8:

NMT 20 years imprisonment,
\$250,000.00 fine, or both, and
supervised release of NMT 3 years,
however, if the firearm is a machine
gun or destructive device, or is
equipped with a firearm silencer or
muffler, shall be imprisoned for any
term of years or life, \$250,000 fine
or both.

COUNT 9,10, 11:

NLT 20 years imprisonment, \$500,000
fine, or both.

COUNT 12:

Forfeiture of property.

PLUS: Mandatory Special Assessment of \$100.00 on each
count pursuant to Title 18, United States Code, Section
3013.

UNITED STATES DISTRICT COURT

EASTERN

DISTRICT OF

KENTUCKY

UNITED STATES OF AMERICA

V.

HOMER LEE CHEESE, JR.

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number:

Eastern District of Kentucky
CR. 99-72-2

JOHN KEVIN WEST

Defendant's Attorney

FILED

FEB 28 2000

AT LEXINGTON
LESLIE G. WHITMER
CLERK, U. S. DISTRICT COURT

THE DEFENDANT:

- ☐ pleaded guilty to count(s) _____
- ☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.
- ☒ was found guilty on count(s) ONE AND FIVE
after a plea of not guilty.

Title & Section	Nature of Offense	Date Concluded	Count Number(s)
21:846	CONSPIRACY TO DISTRIBUTE A SCHEDULE II CONTROLLED. SUB (CRACK COCAINE)	8/5/99	1
21:841(A)(1) & 18:2	POSSESS W/INTENT TO DIST. A SCHED. II CONT. SUB.(CRACK COCAINE) & AID & ABET SAME	5/25/99	5

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☒ The defendant has been found not guilty on count(s) ELEVEN

☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. 377-86-5709

Defendant's Date of 10/20/79

Defendant's USM No.: 07200-032

Defendant's Residence Address:
7515 Dunedin Street

Detroit, MI 48206

Defendant's Mailing Address:
same

FEBRUARY 25, 2000

Date of Imposition of Judgment

Henry R. Wilhoit, Jr.
Signature of Judicial Officer

HENRY R. WILHOIT, JR., CHIEF U. S. DISTRICT JUDGE

Name and Title of Judicial Officer

February 25, 2000
Date

I certify that this is a true and correct copy of the original filed in my office
LESLIE G. WHITMER, CLERK
By Colleen Dawkins
Deputy Clerk
AUG 19 2008

278

DEFENDANT: HOMER LEE CHEESE, JR.
CASE NUMBER: LEX. CR. 99-72-2

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of ONE HUNDRED FIFTY ONE (151) MONTHS ON EACH OF COUNTS 1 and 5
TO BE SERVED CONCURRENTLY

☒ The court makes the following recommendations to the Bureau of Prisons:

That the defendant not be confined in an institution with Matthew Austin or Gerald Keith White.

That the defendant participate in the Bureau of Prisons Intensive Residential Substance Abuse Treatment Program.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a. ☐ p.m. on _____

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

DEFENDANT: HOMER LEE CHEESE, JR.
CASE NUMBER: LEX. CR. 99-72-2

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of FIVE (5) YEARS
That the defendant shall participate in a drug aftercare treatment program
which may include urine testing at the direction and discretion of the
probation officer. The Special Assessment shall be paid during supervised
release period.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

☒ The defendant shall not possess a firearm as defined in 18 U.S.C. § 921. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: HOMER LEE CHEESE, JR.
CASE NUMBER: LEX. CR. 99-72-2

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$ 200.00	\$ 0	\$ 0

☐ If applicable, restitution amount ordered pursuant to plea agreement \$ _____

FINE

The above fine includes costs of incarceration and/or supervision in the amount of \$ _____.

The defendant shall pay interest on any fine more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the options on Sheet 5, Part B may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

☐ The court has determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ The interest requirement is waived.

☐ The interest requirement is modified as follows:

RESTITUTION

☐ The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case will be entered after such determination.

☐ The defendant shall make restitution to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below.

<u>Name of Payee</u>	<u>*Total Amount of</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
----------------------	-----------------------------	--	--

Totals: \$ _____ \$ _____

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

DEFENDANT: HOMER LEE CHEESE, JR.
CASE NUMBER: LEX. CR. 99-72-2

SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

Payment of the total fine and other criminal monetary penalties shall be due as follows:

- A ☐ In full immediately; or
- B ☐ \$ _____ immediately, balance due (in accordance with C, D, or E); or
- C ☒ ~~not later than~~ ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ Special Assessment is not due and payable until after released from Federal custody.
- D ☐ in installments to commence _____ days after the date of this judgment. In the event the entire amount of criminal monetary penalties imposed is not paid prior to the commencement of supervision, the U.S. probation officer shall pursue collection of the amount due, and shall request the court to establish a payment schedule if appropriate; or
- E ☐ in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ over a period of _____ year(s) to commence _____ days after the date of this judgment.

The defendant will be credited for all payments previously made toward any criminal monetary penalties imposed.

Special instructions regarding the payment of criminal monetary penalties:

CRIMINAL MONETARY PENALTIES ARE PAYABLE TO:

Clerk, U. S. District Court
Eastern District of Kentucky
Post Office Drawer 3074
Lexington, KY 40596-3074

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program, are to be made as directed by the court, the probation officer, or the United States attorney.

DEFENDANT: HOMER LEE CHEESE, JR.
CASE NUMBER: LEX. CR. 99-72-2

STATEMENT OF REASONS

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual finding and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 32

Criminal History Category: III

Imprisonment Range: 151 to 188 months

Supervised Release Range: 5 to - years

Fine Range: \$ 17,500.00 to \$ 8,000,000.00

☒ Fine waived or below the guideline range because of inability to pay.

Total Amount of Restitution: \$ N/A

☐ Restitution is not ordered because the complication and prolongation of the sentencing process resulting from the fashioning of a restitution order outweighs the need to provide restitution to any victims, pursuant to 18 U.S.C. § 3663(d).

☐ For offenses committed on or after September 13, 1994 but before April 23, 1996 that require the total amount of loss to be stated, pursuant to Chapters 109A, 110, 110A, and 113A of Title 18, restitution is not ordered because the economic circumstances of the defendant do not allow for the payment of any amount of a restitution order, and do not allow for the payment of any or some portion of a restitution order in the foreseeable future under any reasonable schedule of payments.

☐ Partial restitution is ordered for the following reason(s):

☐ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by the application of the guidelines.

OR

☒ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reasons:
The Court finds that a sentence at the bottom of the applicable range is sufficient.

OR

☐ The sentence departs from the guideline range:

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following specific reason(s):

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
March 1, 2000

Case Number: 5:99-cr-00072

Ron L. Walker Jr.	<i>w/noe</i>	USP	<i>w/noe</i>	Finance	<i>w/noe</i>
John Kevin West	<i>w/noe</i>	USM		AB	

Certificate of Mailing by *Am*.